IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.1812 OF 2007

Amol Anil Vispute. ..Petitioner.
Versus
The State of Maharashtra
and Anr. ..Respondents.

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Mr.S.M.Sabrad, Adv. for the Petitioner.
Mr.V.V.Purwant, Adv. for Respondent No.2.
Mr.V.B.Konde-Deshmukh, APP, for the State.

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CORAM : R.M.S.KHANDEPARKAR AND SMT.V.K.TAHILRAMANI,JJ.

DATED : OCTOBER 15, 2007.

P.C.:-

1. The affidavit filed by respondent No.2 is taken on record. Respondent No.2 present in Court also confirms the contents of the affidavit.

2. On hearing the learned Advocates for the parties and on perusal of the affidavit of respondent No.2, it is apparent that the complaint in question was filed under some misunderstanding on the part of respondent No.2.

Being so, no purpose would be served in conducting the trial as such and it will be waste of Court time.

3. In the circumstances, the FIR dated 19th July, 2007 which was lodged by respondent No.2 at Ambad Police Station, Ambad, Taluka & District - Nashik and further consequential proceedings pursuant to charge-sheet No.I-347 of 2007 which corresponds to RCC No.712 of 2007 in the Court of the learned Chief Judicial Magistrate, Nashik are required to be quashed. Consequently, the Petition succeeds and the impugned FIR along with the said criminal proceedings are hereby quashed. Petition accordingly stands disposed of. There shall be no order as to costs.

[R.M.S.KHANDEPARKAR,J.]

[SMT.V.K.TAHILRAMANI,J.]